

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 3082

IN THE MATTER OF:

Served October 16, 1987

Application of P&T TRANSPORTATION)
COMPANY, INC., for a Certificate of)
Public Convenience and Necessity)
to Conduct Special Operations)

Case No. AP-87-28

By application filed October 2, 1987, P&T Transportation Company, Inc. ("P&T" or "applicant"), seeks a certificate of public convenience and necessity to transport passengers in special operations over irregular routes between health care facilities in the Metropolitan District, on the one hand, and, on the other, points in the Metropolitan District, restricted to transportation in vehicles with a manufacturer's designed seating capacity of 15 passengers or less including the driver. 1/

P&T currently holds WMATC Certificate No. 47 which authorizes the following transportation:

IRREGULAR ROUTES

SPECIAL OPERATIONS, round-trip or one-way,
transporting persons confined to wheelchairs:

Between medical treatment facilities located in the Metropolitan District, on the one hand, and, on the other, points in the Metropolitan District.

RESTRICTIONS: The service authorized herein is restricted to the transportation of non-ambulatory participants in the Medicaid program of the District of Columbia, and is further restricted to transportation in van-type vehicles specially equipped with ramps and mechanical devices for securing wheelchairs in transit.

Through the instant application P&T seeks to expand its existing authority to include transportation of all persons, not only

1/ To the extent that this application could be interpreted to include transportation between points located solely within the Commonwealth of Virginia, the application is dismissed for want of jurisdiction pursuant to the Compact, Title II, Article XII, Section 1(b).

non-ambulatory participants in the District of Columbia Medicaid program. Thus, a grant of this application would authorize P&T to transport ambulatory participants in the District of Columbia Medicaid program as well as ambulatory and non-ambulatory persons who do not participate in the District of Columbia Medicaid program, but who travel between health care facilities in the Metropolitan District, on the one hand, and, on the other, points in the Metropolitan District. Whether P&T intends some further modification of its existing authority through the substitution of the phrase "health care facilities" for "medical treatment facilities" is a question which will be explored at hearing.

Applicant currently conducts its operations in five vehicles ranging in model years from 1975 - 1979. P&T plans to conduct the proposed operations in the same vehicles. P&T's service will be offered between the hours of 6 a.m. and 9 p.m., Monday through Saturday, holidays excluded. The proposed rate for travel within the Capital Beltway and up to one mile beyond its limits is \$43 per person round-trip and \$25 per person one-way. For travel beyond the Capital Beltway and the aforementioned one mile extension, an additional fee of \$1 per loaded-mile or fraction thereof would be charged. A \$12.50 cancellation fee will be assessed when a vehicle is dispatched for service but not utilized. A \$5 waiting fee will be assessed for each 15 minutes of delay time. It is inferred (because the application does not specify) that P&T intends to maintain the schedule of rates in its existing tariff applicable to the services it provides for the Medicaid program of the District of Columbia. If this interpretation does not comport with applicant's intent, the Commission should be notified, in writing within 10 days of the date of this order.

Applicant submitted an operating statement for the 12 months ended December 31, 1986, which indicates WMATC operating income of \$142,186.63 and operating expenses of \$143,295.26 for the same period. P&T failed to provide the Commission with a copy of its most recent balance sheet. Applicant will be directed to furnish such data. P&T submitted a projection of revenues and revenue deductions for an unspecified period which estimates WMATC operating income of \$192,183.63 and operating expenses of \$153,300.26. Because P&T's projected revenue deductions are based on its expenses for calendar year 1986 and, thus, although intended to be representative of a future period, will be almost one year old at the time of hearing, P&T will be directed to file an updated operating statement.

Pursuant to Title II, Article XII, Section 4(b) of the Compact, this application must be scheduled for public hearing to determine if the applicant is fit, willing and able to perform properly the proposed service and to abide by pertinent regulatory requirements and to determine whether the public convenience and necessity require the proposed service.

THEREFORE, IT IS ORDERED:

1. That a public hearing in Case No. AP-87-28 is hereby scheduled to commence Tuesday, November 24, 1987, at 9:30 a.m. in the hearing room of the Commission, 1625 I Street, N.W., Room 314, Washington, D.C. 20006.

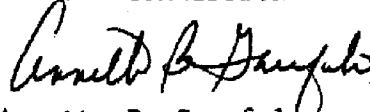
2. That applicant is hereby directed to publish once in a newspaper of general circulation in the Metropolitan District, and to post continuously and conspicuously in each of its vehicles through the date of public hearing, notice of this application and the hearing thereon in the form prescribed by the staff of the Commission, no later than Tuesday, October 27, 1987, and present at the hearing affidavits of publishing and posting.

3. That applicant is hereby directed to file no later than Friday, November 13, 1987, an original and four copies of its most recent balance sheet, an updated operating statement, and its most recent certificate of inspection for each vehicle to be used in the proposed operations.

4. That any person desiring to protest this application shall file a protest in accordance with Commission Rule No. 14, and any person desiring to be heard on this matter shall so notify the Commission, in writing, no later than Friday, November 13, 1987, and shall simultaneously serve a copy of such protest or notice on applicant's counsel, Vernon A. Williams, Esquire, 1275 K Street, N.W., Suite 900, Washington, D.C. 20005.

5. That applicant is hereby assessed \$500 pursuant to Title II, Article XII, Section 19 of the Compact, and is directed to deliver said amount to the office of the Commission, 1625 I Street, N.W., Room 316, Washington, D.C. 20006, no later than Friday, November 13, 1987.

FOR THE COMMISSION:



Annette B. Garofalo
Acting Executive Director